

MINUTES OF THE
LAW AND REGULATION COMMITTEE
STRUCTURAL PEST CONTROL BOARD
October 2, 2002

The meeting was held on Wednesday, October 2, 2002, at the Structural Pest Control Board, 1418 Howe Avenue, Suite 18, Conference Room, Sacramento, California, commencing at 10:00 AM with the following members constituting a quorum:

Larry Musgrove – Chair
John Ellinger
Harvey Logan
Dennis Patzer
John Van Hooser

Board staff present:

Kelli Okuma, Registrar
Susan Saylor, Assistant Registrar
Delores Coleman, Staff Services Analyst

Chairman Musgrove stated that the purpose of the group meeting is to discuss the current laws and regulations in an effort to update and remove redundant language.

Susan Saylor made a statement to the committee regarding issues that need to be looked at by the committee. She submitted a list to the committee.

Chairman Musgrove started with Business and Professions Code section 8565.5 regarding the taking of a pre-operator course prior to licensing as an operator, but not prior to taking the operator examination.

Harvey Logan moved that Business and Professions Code section 8565.5 be amended to state that an applicant must provide proof of completion of a pre-operator course prior to examination for licensure as an operator. John Van Hooser seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that the last paragraph in Business and Professions Code section 8565.5 be deleted. Harvey Logan seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that the first three sentences of paragraph two of Business and Professions Code section 8593 be deleted. John Van Hooser seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved regarding Business and Professions Code section 8569, to recommend to the Board that the statute be changed to allow for only one qualifier for one company. John Ellinger seconded the motion. The vote was unanimous in favor of the motion.

Harvey Logan moved that the word “hire” in Business and Professions Code section 8506.1 be changed to “employ.” John Ellinger seconded the motion. The vote was unanimous in favor of the motion.

The committee discussed changing California Code of Regulation section 1993 to delete the last three words of the first paragraph referencing stamps. Kelli Okuma said that staff would submit a section 100 change that does not require any action by the Board.

Dennis Patzer brought up the inconsistencies regarding the use of certification statements as indicated in Business and Professions Code section 8519. It was decided to bring the issue up at a future meeting.

John Ellinger moved that “Sulfur dioxide” and “Propylene oxide,” be removed from Business and Professions Code section 8505.1. Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

Harvey Logan moved that “a substance having a vapor pressure greater than 5 millimeters of mercury at 25 degrees centigrade when the substance is labeled for those purposes.” be removed from Business and Professions Code section 8505.1. John Ellinger seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that “or who is the qualifying manager of a registered company which is so registered.” be removed from Business and Professions Code section 8505.2. Harvey Logan seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that the words “Branch 1” be inserted between “the” and “licensee” as relating to “exercising such supervision” in Business and Professions Code section 8505.3. Harvey Logan seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that the words “city and county” as used the second time be struck from Business and Professions Code section 8505.4. John Ellinger seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that Business and Professions Code section 8505.15 be removed, as respiratory protection requirements are part of the fumigant label. Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that “apply pesticide” be inserted between “make inspections” and “submit bids” in Business and Professions Code section 8507. Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that the wording “rodenticide, or allied chemicals or substances” be removed from Business and Professions Code section 8507.1. Harvey Logan seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that the wording “business” be stricken and in its place the words “the principle office” be inserted in Business and Professions Code section 8509. John Van Hooser seconded the motion. The vote was unanimous in favor of the motion.

Dennis Patzer moved that the reference to “California Department of Food and Agriculture” be stricken and the wording “Department of Pesticide Regulation” be inserted in Business and

Professions Code section 8510. John Van Hooser seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that the word “hires” be removed and replaced with the word “employs” in Business and Professions Code section 8512. John Ellinger seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved to overhaul Business and Professions Code 8516 in its entirety at a future date. Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that the references to the “California Department of Food and Agriculture” in Business and Professions Code section 8525 be changed to “Department of Pesticide Regulation.” Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

John Van Hooser moved that Business and Professions Code section 8533 be repealed. Dennis Patzer seconded the motion. The vote was unanimous in favor of the motion.

John Ellinger moved that the words “hire” in the second sentence be changed to “employment” and “rodenticide or allied chemicals or substances” in the third sentence be removed from Business and Professions Code section 8551.5. Harvey Logan seconded the motion. The vote was unanimous in favor of the motion.

The committee discussed Business and Professions Code section 8560(c) in regards to computer based testing and modernizing based on new technologies and asked staff to look into the department’s position and report back at a future meeting.

The committee discussed Business and Professions Code section 8562, in regards to prospective licensees having to submit proof of experience and the taking of an 8565.5 course prior to being able to take the examination. The committee directed staff to check with the legal department for an interpretation and report back at a future meeting.

Meeting adjourned by Chairperson Musgrove at approximately 2:00 PM.

Approval of minutes:

Larry Musgrove, Committee Chairman

